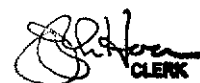


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED

NOV - 9 2007


CLERK

THOMAS L. BARTAK and
CINDY S. KUHL, husband and wife,

Plaintiffs,

vs.

JAMES C. FITZGERALD, D.C.;
DAKOTA CHIROPRACTIC CLINICS,
P.C., d/b/a First Chiropractic Center;
DAVID J. BARNES, M.D.;
YANKTON MEDICAL CLINIC, P.C.;
MICHAEL SCHURRER, M.D.;
ANTHONY JAVUREK, M.D.;
AVERA SACRED HEART HOSPITAL;
MARK K. BECHTEL, M.D.;
YANKTON RADIOLOGY, LLP;
JOHN DOE(S);
JOHN DOE(S), M.D.;
JANE DOE(S), M.D. and
JOHN DOE(S), P.C.,

Defendants.

CIV. 07-4068-KES

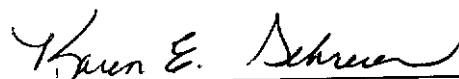
ORDER DISMISSING
DEFENDANTS
FITZGERALD AND
DAKOTA CHIROPRACTIC
CLINICS, P.C.

Pursuant to the Stipulation and Notice of Voluntary Dismissal, it is
hereby

ORDERED that defendants James C. Fitzgerald, D.C. and Dakota
Chiropractic Clinics, P.C. are dismissed from this case.

Dated November 9, 2007.

BY THE COURT:



KAREN E. SCHREIER
CHIEF JUDGE